

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on February 6, 2009 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: None.

Members Absent: None.

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 25; HJ 4; HB 140; HB 278;
HB 285; HB 194; HB 275; HB 270

00:00:04 Chairman Milburn

EXECUTIVE ACTION ON HB 25

00:01:25 **Motion/Vote:** Rep. Pomnichowski moved that **HB 25 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote, with Rep. Reinhart voting by proxy.

EXECUTIVE ACTION ON HJ 4

00:02:54 **Motion:** Rep. Vincent moved that **HJ 4 DO PASS**.

Discussion:

00:04:06 Rep. Hands
00:05:51 Rep. Mendenhall
00:07:14 Rep. Vincent
00:13:00 Rep. Pomnichowski
00:14:17 Rep. Hands
00:15:55 Rep. Mendenhall
00:16:23 Rep. Vincent
00:18:02 Rep. Cohenour

00:19:51 **Vote:** Motion carried 10-8 by roll call vote with Reps. Pomnichowski, Van Dyk, Hands, Blewett, Cohenour, Dickenson, and Menahan voting no. Rep. Reinhart voted by proxy.

EXECUTIVE ACTION ON HB 140

00:22:02 **Motion:** Rep. Vincent moved that **HB 140 DO PASS**.

00:22:10 **Motion:** Rep. Vincent moved that **HB 140 BE AMENDED**.
EXHIBIT(nah28a01)

Discussion:

00:23:59 Rep. Pomnichowski
00:24:30 Rep. Vincent
00:24:35 Rep. Pomnichowski
00:24:54 Mr. Kolman
00:25:37 Rep. Pomnichowski
00:25:48 Mr. Kolman
00:26:09 Rep. Cohenour

00:26:36 Mr. Kolman
00:26:49 Rep. Hands
00:27:06 Rep. Vincent

00:27:50 **Vote:** Motion carried 16-2 by voice vote with Reps. Pomnichowski and Dickenson voting no. Rep. Reinhart voted by proxy.

00:29:16 **Motion:** Rep. Vincent moved that **HB 140 DO PASS AS AMENDED.**

Discussion:

00:29:03 Rep. Pomnichowski
00:29:50 Rep. Hendrick
00:30:53 Rep. Dickenson
00:31:46 Rep. Vincent

00:33:00 **Vote:** Motion passed 10-8 by roll call vote with Reps. Pomnichowski, Van Dyk, Hands, Blewett, Cohenour, Dickenson, and Menahan voting no. Rep. Reinhart voted by proxy.

EXECUTIVE ACTION ON HB 278

00:34:08 **Motion:** Rep. McGillvray moved that **HB 278 DO PASS.**

00:34:45 **Motion:** Rep. McGillvray moved that **HB 278 BE AMENDED.**
EXHIBIT (nah28a02)

Discussion:

00:35:46 Rep. Pomnichowski
00:36:12 Mr. Kolman

00:36:19 **Motion:** Rep. McGillvray moved a conceptual amendment to change page 2, line 17 from 20% to 10%.

00:36:42 **Vote:** Chairman Milburn moved to accept amendment on amendment, which passed without objection.

00:36:49 Rep. Pomnichowski
00:37:54 Rep. Hands
00:39:21 Rep. Mendenhall
00:39:23 Chairman Milburn

00:39:23 **Vote:** Motion carried 15-3 by voice vote with Reps. Van Dyk, Vincent, and Mendenhall voting no.

00:40:29 **Motion:** Rep. McGillvray moved that **HB 278 DO PASS AS AMENDED.**

Discussion:

00:42:25 Rep. Hands
 00:43:19 Rep. Vincent
 00:43:52 Rep. Miller
 00:44:19 Rep. Reinhart
 00:47:33 Rep. Bennett
 00:48:23 Rep. Cohenour
 00:50:13 Chairman Milburn
 00:51:35 Rep. Blewett
 00:51:50 Chairman Milburn
 00:52:04 Shannon Downey, Reclamation Ecologist, Department of
 Environmental Quality
 00:52:24 Chairman Milburn
 00:52:33 Ms. Downey
 00:53:28 Rep. Cohenour
 00:53:37 Ms. Downey
 00:54:04 Rep. Cohenour
 00:54:36 Ms. Downey

 00:57:20 **Vote:** Motion carried by roll call vote 12-6 with
 Reps. Pomnichowski, Van Dyk, Reinhart, Hands, Cohenour,
 and Dickenson voting no.

EXECUTIVE ACTION ON HB 285

00:58:04 **Motion:** Rep. Reinhart moved that **HB 285 DO PASS.**

 00:58:24 Matt Alsesser, Executive Director, Montana SAFE
 Foundation
 01:00:17 Rep. Hendrick
 01:00:51 Mr. Alsesser
 01:01:42 Rep. Hendrick
 01:01:49 Mr. Alsesser
 01:02:10 Rep. Vincent
 01:02:25 Mr. Alsesser
 01:02:43 Rep. Vincent
 01:02:50 Mr. Alsesser
 01:03:20 Rep. Vincent
 01:03:26 Mr. Alsesser
 01:03:32 Rep. Hands
 01:03:43 Rep. Hendrick
 01:04:27 Rep. Reinhart
 01:05:12 Rep. Bennett
 01:05:54 Chairman Milburn

01:05:59 Mr. Alseser
01:06:25 Rep. Reinhart
01:06:46 Chairman Milburn
01:07:04 Mr. Hoven
01:07:19 Mr. Alseser
01:07:58 Rep. Hands

01:10:24 **Motion:** Rep. Reinhart moved that **HB 285 BE AMENDED.**
EXHIBIT (nah28a03)

Discussion:

01:11:29 Rep. Warburton
01:11:44 Rep. Reinhart

1:12:10 **Vote:** Motion passed unanimously by voice vote with
Rep. Blewett voting by proxy.

1:12:15 **Motion:** Rep. Reinhart moved that **HB 285 DO PASS AS**
AMENDED.

Discussion:

01:12:34 Rep. Dickenson
01:13:02 Rep. Reinhart
01:13:57 Rep. Pomnichowski
01:14:34 Rep. Bennett
01:15:01 Rep. Hoven
01:15:43 Chairman Milburn

01:16:14 **Vote:** Motion carried 17-1 by voice vote, with Rep.
McGillvray voting no. Rep. Blewett voted by proxy.

EXECUTIVE ACTION ON HB 194

01:16:52 **Motion:** Rep. Mendenhall moved that **HB 194 DO PASS.**

Discussion:

01:17:54 Rep. Pomnichowski
01:18:02 Rep. Mendenhall

01:18:40 **Vote:** Motion carried 16-2 by voice vote with Reps.
McGillvray and Van Dyk voting no. Reps. Blewett and
Hands voted by proxy.

EXECUTIVE ACTION ON HB 275

01:19:57 **Motion/Vote:** Rep. Van Dyk moved that **HB 275 BE TABLED**.
Motion carried unanimously by voice vote, with Reps.
Blewett and Hands voting by proxy.

EXECUTIVE ACTION ON HB 270

01:20:53 **Motion:** Rep. Reinhart moved that **HB 270 DO PASS**.

01:20:55 **Motion:** Rep. Reinhart moved that **HB 270 BE AMENDED**.
EXHIBIT (nah28a04)

Discussion:

01:22:09 Mr. Kolman
01:23:40 Rep. Reinhart
01:23:45 Mr. Kolman

01:25:32 **Vote:** Motion carried unanimously by voice vote.

01:25:39 **Motion:** Rep. Reinhart moved that **HB 270 DO PASS AS
AMENDED**.

Discussion:

01:26:18 Rep. Miller
01:26:30 Mr. Kolman
01:26:47 Rep. Miller
01:26:52 Mr. Kolman
01:27:15 Rep. Vincent
01:28:04 Rep. Reinhart
01:28:18 Rep. Vincent
01:28:42 Rep. Reinhart
01:29:20 Rep. Vincent
01:29:28 Rep. Reinhart
01:29:37 Rep. Vincent
01:29:41 Rep. Reinhart
01:30:05 Chairman Milburn
01:30:20 Rep. Reinhart
01:30:27 Rep. Vincent
01:30:34 Rep. Cohenour
01:31:20 Rep. Hendrick
01:31:59 Rep. Reinhart

01:32:20 **Vote:** Motion carried unanimously by voice vote with
Rep. Menahan voting by proxy.

ADJOURNMENT

01:32:57 Adjournment

Shirley Chovanak, Secretary

SC

Additional Documents:

EXHIBIT ([nah28aad.pdf](#))